

STANDING CHAPTER 13 TRUSTEE ALEJANDRO OLIVERAS RIVERA  
REPORT OF ACTION TAKEN  
MEETING OF CREDITORS

In re:

JULIO L SANTIAGO BETANCOURT

Case No. 21-02579-ESL

Chapter 13

Attorney Name: EDUARDO J MAYORAL GARCIA\*

<b>I. Appearances</b>  Debtor <span style="margin-left: 20px;"><input checked="" type="checkbox"/> Present</span> <span style="margin-left: 20px;"><input type="checkbox"/> Absent</span> Joint Debtor <span style="margin-left: 20px;"><input type="checkbox"/> Present</span> <span style="margin-left: 20px;"><input type="checkbox"/> Absent</span> Attorney for Debtor <span style="margin-left: 20px;"><input checked="" type="checkbox"/> Present</span> <span style="margin-left: 20px;"><input type="checkbox"/> Absent</span>  <input type="checkbox"/> <b>Prose</b> <input type="checkbox"/> <b>Appearing:</b>	<b>Date &amp; Time:</b> 9/29/2021 2:40:00PM  <input checked="" type="checkbox"/> <b>R</b> <span style="margin-left: 20px;"><input type="checkbox"/> NR</span> <span style="margin-left: 20px;">LV: To be determined.</span> <input checked="" type="checkbox"/> <b>This is debtor(s) 1 Bankruptcy filing.</b>  <b>Creditors:</b> <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> <u>Banco Popular de P.R. by Mr. Miguel Rivera</u> </div>
<b>II. Oath Administered</b> <span style="margin-left: 40px;"><input checked="" type="checkbox"/> Yes</span> <span style="margin-left: 40px;"><input type="checkbox"/> No</span>	
<b>III. Plan</b>  <b>Date:</b> 08/30/2021 <span style="margin-left: 20px;"><b>Base:</b> \$12,600.00</span> <span style="margin-left: 20px;"><b>Payments</b> 1 made out of 1 due.</span>  <b>Confirmation Hearing Date:</b> 11/3/2021 9:00:00AM  <b>Evidence of Pmt shown:</b>	
<b>Attorney's fees as per R. 2016(b)</b>  <div style="display: flex; align-items: center;"> <span style="margin-right: 10px;">\$4,000.00</span> <span style="margin-right: 10px;">-</span> <span style="margin-right: 10px;">\$500.00</span> <span style="margin-right: 10px;">=</span> <span>\$3,500.00</span> </div>	
<b>IV. Status of Meeting</b>  <input checked="" type="checkbox"/> <b>Closed</b> <span style="margin-left: 20px;"><input type="checkbox"/> Not Held</span> <span style="margin-left: 20px;"><input type="checkbox"/> Held/Continued</span> <input type="checkbox"/> <b>Held/Not Closed</b>  <input type="checkbox"/> <b>Continued</b>  <b>Continued Date:</b>  <b>Comments:</b>	
<input type="checkbox"/> <b>M.T.D. to be filed by Trustee: Debtor(s) failed to:</b> <input type="checkbox"/> <b>Appear:</b> <input type="checkbox"/> <b>Commence payments</b> <input type="checkbox"/> <b>Keep payments current</b> <input type="checkbox"/> <b>does (do) not qualify as a debtor (§109):</b> <input type="checkbox"/> <b>MTD Already filed, see Docket:</b> <input type="checkbox"/> <b>Other:</b>	

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(Cont.)

Trustee's Report on Confirmation

☐ FAVORABLE

☒ UNFAVORABLE

☐ Feasibility

☐ Insufficiently funded

☐ Unfair discrimination

☐ Fails disposable income

☐ Fails liquidation value test

☐ Insuarence quote

☐ No provision for secured creditor(s)

☐ Tax returns missing

☐ State - years

☐ Federal - years

Pending/Items/ Documents:

☐ DSO Recipient's Information

☐ Evidence of being current with DSO

☐ Evidence of income

☐ Monthly reports for the months

☐ Public Liability Insurance

☐ Premises

☐ Vehicle(s):

☐ Licenses issued by:

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Trustee's objection to confirmation

☒ Objection to Confirmation

☐ Oral objection by creditor

ACP: 3

Household size: 1

Disp. Income under 1325(b)(2):

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Business: J-Urban Cut (Barber Shop) form 2005 to present.

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ID (pass), SS, W/S, TXs (state returns 2017-2020), ok

Nmar, empl; Barber

Plan: 100 x 6 , 400 x 30 = \$12,600

G.U. 18%

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NOTE: Debtor has not owned any realty.

Matters:

1- FAILS DISPOSABLE INCOME TEST, §1325(b)(1)(B): Plan does not have the tax refund language.

DSO POST PETITION PAYMENTS, Section 1325(a)(8):

a- Debtor has one (1 ) DSO account(s); \$550.33 monthly (\$127 weekly). Per Bankruptcy Code, as of the confirmation hearing date, debtor must

file an informative motion with the Court including the evidence of being current in the DSO payments that become due post-petition.

DSO INFORMATION:

a. Debtor to provide

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7- Other:

a. Part 8.1: Therein debtor proposes to the lift of stay in favor of 2019 KTM DUKE motorcycle. Said provision should specify the name of the creditor, Freedomroad Financial and include that the trustee will not make disbursement.

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b. This is a DSO case; however, Schedule J does not disclose dependents related that not live with debtor.

c. Part 6.1 indicate that trustee will make installment payments of \$625 to Victor Cepeda (Commercial Lease).

Apparently, debtor marked off by error that trustee will make the monthly payments, since per attachment filed in the case containing gross business income and expenses, debtor makes the rental payments. Thus, part 6.1 should mark off that the payment is made by debtor.

The following party(ies) object(s) confirmation:

s/Miriam Salwen

Trustee/Presiding Officer

Date: 09/29/2021

(Rev. 05/13)